

# Senate Amendment 5214

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1 1 Amend House File 2332, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:  
1 5 <Section 1. Section 252B.7, subsection 1,  
1 6 paragraph c, Code 2005, is amended to read as follows:  
1 7 c. An information charging a violation of section  
1 8 726.3, 726.5, 726.5A, or 726.6.>  
1 9 #2. Page 3, by inserting after line 11 the  
1 10 following:  
1 11 <Sec. \_\_\_\_\_. Section 600B.29, Code 2005, is amended  
1 12 to read as follows:  
1 13 600B.29 DESERTION STATUTE APPLICABLE.  
1 14 The provisions of sections 726.3 through ~~726.5~~  
1 15 ~~726.5A~~ relating to desertion, ~~nonsupport~~, and  
1 16 abandonment of children, have the same effect in cases  
1 17 of illegitimacy where paternity has been judicially  
1 18 established, or has been acknowledged by the father in  
1 19 writing or by the furnishing of support, as in cases  
1 20 of children born in wedlock.  
1 21 Sec. \_\_\_\_\_. Section 726.4, Code 2005, is amended to  
1 22 read as follows:  
1 23 726.4 HUSBAND OR WIFE MAY BE WITNESS.  
1 24 In all prosecutions under section 726.3, 726.5,  
1 25 ~~726.5A~~, or 726.6, the husband or wife is a competent  
1 26 witness for the state and may testify to relevant acts  
1 27 or communications between them.  
1 28 Sec. \_\_\_\_\_. NEW SECTION. 726.5A HABITUAL  
1 29 NONSUPPORT AS CHILD ENDANGERMENT.  
1 30 A person who, being able to do so, fails or refuses  
1 31 to provide support for the person's child or ward  
1 32 under the age of eighteen years for a period longer  
1 33 than one year or in an amount greater than five  
1 34 thousand dollars commits child endangerment based upon  
1 35 habitual nonsupport. A person shall not be held to  
1 36 have violated this section if the person fails to  
1 37 support any child or ward under the age of eighteen  
1 38 who has left the home of the parent or other person  
1 39 having legal custody of the child or ward without the  
1 40 consent of that parent or person having legal custody  
1 41 of the child or ward. Support, for the purposes of  
1 42 this section, means any support which has been fixed  
1 43 by court order. Child endangerment based upon  
1 44 habitual nonsupport as described in this section is a  
1 45 class "C" felony.>  
1 46 #3. Title page, line 5, by inserting after the  
1 47 word <program> the following: <, establishing  
1 48 habitual nonsupport as child endangerment, providing a  
1 49 criminal penalty,>.  
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2 3 DOUG SHULL  
2 4 HF 2332.504 81  
2 5 pf/je/1584